



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

|                               |                         |                                |                                     |
|-------------------------------|-------------------------|--------------------------------|-------------------------------------|
| APPLICATION NO.<br>07/241,806 | FILING DATE<br>07/10/99 | FIRST NAMED INVENTOR<br>LARKIN | ATTORNEY DOCKET NO.<br>111-20479-03 |
|-------------------------------|-------------------------|--------------------------------|-------------------------------------|

HM11/0725

CHERYL H AGRIS  
PO BOX 806  
PELHAM NY 10803

|                       |
|-----------------------|
| EXAMINER<br>LARKIN, J |
|-----------------------|

|                  |              |
|------------------|--------------|
| ART UNIT<br>1005 | PAPER NUMBER |
|------------------|--------------|

DATE MAILED: 07/25/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

|               |             |                       |                     |
|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|

|          |
|----------|
| EXAMINER |
|----------|

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

DATE MAILED:

12

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Applicants' election of Group I, and the species election is acknowledged ("X" is enkephalin, and "Z" is Lys-Lys-Lys-Lys-Lys-Lys). However, this election is not fully responsive to the Office action mailed 6/14/00. As stated in that Office action, the specie is a specific compound. In the case of claim 1, defining "X" and "Z" does not give rise to a fully defined molecule. Sufficient information must be provided so that every atom in the molecule is accounted for. This includes, but is not limited to, the point of attachment between "X" and "Z". For example, is "Z" covalently bonded to "X" at the C-terminus, or is "Z" covalently bonded to "X" at the N-terminus...? Is there an intervening sequence (or other linking moiety) between "X" and "Z"...? In addition, claim 1 recites that the conjugate "comprises" "X" and "Z". What other substituents or groups are present? As is evident in claim 4, there can be more than one "Z" present in the molecule. Thus, the question arises, what is the total number of "Z" moieties in the molecule, and what is the total number of "X" moieties in the molecule...? The specie must be a **fully defined molecule**. It is not sufficient to merely define "X" and "Y". In addition, a new statement as to the claims readable on the (newly defined) specie is required. The time for response is reset pursuant to this Office action. Failure to elect a **fully defined molecule**

Serial No. 341,590  
Art Unit 1653

-3-

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton [phone number (703)308-3213].

An inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

A handwritten signature in black ink, appearing to read 'D. Lukton', with a stylized flourish extending from the end.

DAVID LUKTON  
PATENT EXAMINER  
GROUP 1800